

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – LA – SRSP – Karimnagar District – Bejjanki (Mandal) – Yaswada (Village)  
O.P.No.540/92 – Sanction of decretal charges of Rs.51,275/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 97

DATE:12.02.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/331/08, dt:19.04.08  
along with the proposal of the Spl.Collector, LA,SRSP, SSP, Hyd.

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O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.NO.540/92 pertaining to Yaswada (V) Bejjanki (M) of Karimnagar District. The then LAO, LA Unit, LMD Colony, Karimnagar has acquired land for an extent of Acs.24927.12 sq.mts and (128) structures for submergence under LMD Reservoir in the limits of Yaswada (V) Bejjanki (M) and passed an Award No8/80-81, dt:30.03.1981 fixing the land value @Rs.1/- per sq. Being dissatisfied with the orders, the awardees filed petitions u/s 18 of L.A.Act and referred the cases to the II Additional District Judge Court, Karimnagar which was numbered as O.P.No.540/92, wherein the land value was enhanced to double the value on lands, structures. AMV sanctioned from the date of Publication of notification U/s 4(1) of L.A.Act is Nil. Granted 30% Solatium on enhanced compensation. Ordered to pay the awarded amount with subsequent interest as per the provisions of sec.28 of the amended provisions of L.A.Act. As the enhancement was more than 50%, the SDC has filed an appeal. The Hon'ble High Court in its orders dt:17.07.98 in LA AS No.1879/95 has dismissed the appeal filed by the SDC, LA Unit-II, Karimnagar by confirming the Lower Court orders. As per the advise of G.P for Appeals, H.C of A.P, Hyderabad, SLP was filed and it is also dismissed by the Hon'ble Supreme Court of India on 13.03.2003 both on the ground of delay as well as on merits.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.51,275/- (Rupees fifty one thousand two hundred and seventy five only) in respect of O.P.No.540/92 in A.S.No.1879/95 pertaining to Yaswada (V) Bejjanki (M) of Karimnagar District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Govt and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, SRSP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.540/92 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) ante, shall be debitale to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (27) Canals and Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.255/F4(2)/2008-1, dated 30.01.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.17272/LA.III(A1)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER